

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

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| CONSTANCE WILSON ANDRESEN, | : | CIVIL ACTION NO. 1:20-CV-989 |
| | : | |
| Plaintiff | : | (Judge Conner) |
| | : | |
| v. | : | |
| | : | |
| COMMONWEALTH OF | : | |
| PENNSYLVANIA, <i>et al.</i>, | : | |
| | : | |
| Defendants | : | |

ORDER

AND NOW, this 29th day of March, 2021, upon consideration of the report (Doc. 44) of Magistrate Judge Martin C. Carlson, recommending that the court grant the motion (Doc. 11) to dismiss filed by defendant County of Huntingdon and dismiss the complaint (Doc. 1) of *pro se* plaintiff Constance Wilson Andresen as to the County with prejudice, based, *inter alia*, on failure to allege that her claimed injury in this case is attributable to a custom or policy of the County, and the fact that Andresen’s allegations appear to be premised solely on the fact that the alleged wrongs occurred in the County, and the court noting that Andresen has filed a “reply opposition” to the report, (see Doc. 54), which we construe as an objection, see FED. R. CIV. P. 72(b)(2), and following *de novo* review of the contested portions of the report, see E.E.O.C. v. City of Long Branch, 866 F.3d 93, 99 (3d Cir. 2017) (quoting 28 U.S.C. § 636(b)(1)), and affording “reasoned consideration” to the uncontested portions, id. (quoting Henderson v. Carlson, 812 F.2d 874, 878 (3d Cir. 1987)), the court finding Judge Carlson’s analysis to be well-reasoned and fully

supported by the applicable law, and finding Andresen's objection to be without merit, it is hereby ORDERED that:

1. Magistrate Judge Carlson's report (Doc. 44) is ADOPTED.
2. The County's motion (Doc. 11) is GRANTED and Andresen's complaint against the County is DISMISSED with prejudice.
3. This matter is REMANDED to Magistrate Judge Carlson for further pretrial management.

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner
United States District Judge
Middle District of Pennsylvania